

Appl. No. 10/719,786  
Docket No. 9431  
Amdt. dated 26 August 2009  
Reply to Office Action mailed on 26 May 2009  
Customer No. 27752

## REMARKS

### Claim Status

Claims 5-7, 9-11, 13 and 18-20 are pending in the present application.

#### *Rejection Under 35 U.S.C. §102(e) Over U.S. Pub. No. 2003/0167048 (Policappelli)*

Claims 5-7, 9-11, 13, 18 and 19 have been rejected under 35 U.S.C. §102(e) as being anticipated by Policappelli.

Applicants respectfully traverse this rejection. Claim 13, from which claims 5-7, 9-11, 18 and 19 depend, claims a tampon comprising an insertion end and an outer surface, said tampon being comprised of compressed fibrous material; wherein a measured portion of said outer surface of said insertion end comprises a first surface area, wherein at least a portion of said first surface area further comprises protuberances. Therefore, the protuberances of the presently claimed tampon are comprised of compressed fibrous material. In contrast, Policappelli discloses a tampon wherein the outside surface of the absorptive material includes multiple lubricated silicone-like elements 17 and 18 arranged on the outside surface of the tampon (page 1, paragraph [0021]). Therefore, the silicone-like elements 17 and 18 of Policappelli differ from the compressed fibrous protuberances of the presently claimed invention.

In view of the above, Applicants respectfully submit that claims 5-7, 9-11, 13, 18 and 19 are novel in view of Policappelli.

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*Rejection Under 35 U.S.C. §103(a) Over U.S. Pub. No. 2003/0167048 (Policappelli) in  
view of 5,911,712 (Leutwyler et al.)*

Claim 20 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Policappelli in view of Leutwyler et al.

Applicants respectfully traverse this rejection. Claim 13, from which claim 20 depends, claims a tampon comprising an insertion end and an outer surface, said tampon being comprised of compressed fibrous material; wherein a measured portion of said outer surface of said insertion end comprises a first surface area, wherein at least a portion of said first surface area further comprises protuberances. Therefore, the protuberances of the presently claimed tampon are comprised of compressed fibrous material. In contrast, Policappelli discloses a tampon wherein the outside surface of the absorptive material includes multiple lubricated silicone-like elements 17 and 18 arranged on the outside surface of the tampon (page 1, paragraph [0021]). Therefore, the silicone-like elements 17 and 18 of Policappelli differ from the compressed fibrous protuberances of the presently claimed invention.

The addition of Leutwyler et al. does not cure the deficiencies of Policappelli.

In view of the above, Applicants respectfully submit that Policappelli in view of Leutwyler et al. does not make claim 20 obvious.

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*Conclusion*

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied references. In view of the foregoing reconsideration of this application and allowance of the pending claims are respectfully requested.

Respectfully submitted,

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/JEO/

Signature

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Date: 26 August, 2009

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